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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

ZELMAN, GARY MARTIN

Serial Number: 10/763,967

Filed: 01/22/04

Title: Auxiliary Eyewear  
Attachment Methods and  
Apparatus

Examiner: Mai, Huy K.

Art Unit: 2873

Att. Docket No.: R04-09-4078

**Certificate of Facsimile Transmission (37 CFR 1.8)**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306, on December 29, 2004.

By: 

David Kogan (50,868)

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**

**DATED 10/29/04**

Mail Stop RCE  
Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

Sir/Madam:

This response is made within two months of the Final Office Action dated 10/29/04. The following submission presents amendments and arguments in support of patentability and is intended to place this application in condition for allowance.

Please amend claims 15-28 as follows: